

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. W.A. )  
DREW EDMONDSON, in his capacity )  
of ATTORNEY GENERAL OF THE )  
STATE OF OKLAHOMA and )  
OKLAHOMA SECRETARY OF THE )  
ENVIRONMENT C. MILES TOLBERT, )  
in his capacity as the TRUSTEE FOR )  
NATURAL RESOURCES FOR THE )  
STATE OF OKLAHOMA, )

Plaintiffs, )

vs. )

Case No. 05-CV-0329-JOE-SAJ

1. TYSON FOODS, INC., )  
2. TYSON POULTRY, INC., )  
3. TYSON CHICKEN, INC., )  
4. COBB-VANTRESS, INC., )  
5. AVAIGEN, INC., )  
6. CAL-MAINE FOODS, INC., )  
7. CAL-MAINE FARMS, INC., )  
8. CARGILL, INC., )  
9. CARGILL TURKEY )  
PRODUCTION, LLC, )  
10. GEORGE’S, INC., )  
11. GEORGE’S FARMS, INC., )  
12. PETERSON FARMS, INC., )  
13. SIMMONS FOODS, INC., and )  
14. WILLOW BROOK FOODS, INC., )

Defendants. )

**PETERSON FARMS, INC.’S JOINDER IN MOTION FOR A MORE  
DEFINITE STATEMENT WITH RESPECT TO COUNTS ONE AND TWO OF THE  
AMENDED COMPLAINT AND INTEGRATED BRIEF IN SUPPORT THEREOF**

Defendant Peterson Farms, Inc. (“Peterson”), hereby joins in and adopts as its own the arguments and authorities set forth at length in the “Motion for a More Definite Statement with

Respect to Counts One and Two of the Amended Complaint and Integrated Brief in Support Thereof” (the “Motion”), filed herein on behalf of Defendants Tyson Foods, Inc., Tyson Poultry, Inc., Tyson Chicken, Inc., and Cobb-Vantress, Inc. pursuant to Federal Rule of Civil Procedure 12(e). As noted in the Motion, the allegations contained in Counts 1 and 2 of Plaintiffs’ First Amended Complaint provide wholly insufficient notice as to the areas within the approximately one million acre Illinois River Watershed which Plaintiffs allege constitute a facility or facilities for purposes of their CERCLA claims. As such, Plaintiffs should be ordered to provide a more definite statement with regard to Counts 1 and 2 in the First Amended Complaint in accordance with Federal Rule of Civil Procedure 12(e).

Respectfully submitted,

By s/ A. Scott McDaniel

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### **CERTIFICATE OF SERVICE**

I certify that on the 3<sup>rd</sup> day of October 2005, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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I also hereby certify that I served the attached documents by United States Postal Service, proper postage paid, on the following who are not registered participants of the ECF System:

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